

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**BRYN ELLIS**

**PLAINTIFF**

**V.**

**CAUSE NO. 3:18-CV-850-CWR-MTP**

**SUPERINTENDENT RON KING**

**DEFENDANT**

**ORDER**

Before the Court is Bryn Ellis's objection to the Magistrate Judge's Report and Recommendation. Ellis argues that his habeas petition should be considered to be timely filed because he meets the 'actual innocence' exception to the statute of limitations.

The undersigned is unable to agree. Its review indicates that the Magistrate Judge correctly found that Ellis has not met the very high standard necessary to invoke the actual innocence gateway. As a result, the Report and Recommendation is adopted as this Court's own findings.

A separate Final Judgment shall issue this day. No certificate of appealability will be granted.

**SO ORDERED**, this the 7th day of August, 2019.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE